MINUTES OF THE ANNUAL COUNCIL MEETING HELD AT NELSON TOWN HALL ON 19th MAY, 2021

PRESENT-

His Worship the Mayor (Councillor N. Butterworth – in the Chair)

Councillors

M. Adnan	Y. Iqbal
F. Ahmad	M. Kaleem
N. Ahmed	C. Lionti
S. Ahmed	D. Lord
D. Albin	K. McGladdery
Z. Ali	P. McGladdery
M. Ammer	N. McGowan
R. Anwar	A. Mahmood
N. Ashraf	B. Newman
M. Aslam	J. Purcell
R. Carroll	K. Salter
D. Cockburn-Price	M. Stone
S. Cockburn-Price	A. Sutcliffe
M. Goulthorp	D. Whipp
M. Hanif	T. Whipp
M. Iqbal	

(Apologies for absence were received from Councillor C. Church).

1.

ELECTION OF MAYOR OF THE BOROUGH

It was moved by Councillor M. Hanif, seconded by Councillor M. Aslam and supported by Councillor T. Whipp and –

RESOLVED

That Councillor Y. Iqbal be elected Mayor of the Borough for the Municipal Year 2022/23.

His Worship the Mayor (Councillor Y. Iqbal – in the Chair)

2.

MINUTES

It was moved by Councillor N. Ahmed, seconded by Councillor Y. Iqbal and -

RESOLVED

That the Minutes of the meeting of the Council held on 24th March, 2021 be approved as a correct record and signed by the Mayor.

3. VOTE OF THANKS TO THE RETIRING MAYOR

It was moved by Councillor S. Cockburn-Price, seconded by Councillor Z. Ali, supported by Councillor B. Newman and –

RESOLVED

That the best thanks of the Council be hereby tendered to Neil Butterworth and Victoria Fletcher for their services as Mayor and Mayoress during their term of office.

4.

APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor D. Whipp, seconded by Councillor A. Mahmood, supported by Councillor N. Ahmed and –

RESOLVED

That Councillor B. Newman be hereby appointed Deputy Mayor of the Borough for the Municipal Year 2022/23.

5.

MAYOR'S ALLOWANCE

It was moved by Councillor N. Ahmed, seconded by Councillor M. Iqbal and -

RESOLVED

That an allowance of £5,130 be paid to the Mayor for the purpose of enabling him to meet the expenses of the office and that such allowance be paid to the credit of the Mayor at the Council's bankers and any credit balance remaining at the date of the next Annual Meeting of the Council be re-appointed to the Council's account.

6.

APPOINTMENT OF MAYOR'S CHAPLAIN

The Mayor reported that he had appointed Imam Afaq Khan and Father Gerard Kelly to the office of Mayor's Chaplains for the Municipal Year 2022/23 and duly signed such appointments to the Council.

The time having reached 6.35 p.m. the Mayor declared the meeting adjourned and there was a short break to allow the Mayors guests to leave the meeting. The meeting reconvened at 6.50 p.m.

7.

DECLARATIONS OF INTEREST

Members were reminded of the legal requirements concerning the declaration of interests.

8.

APPOINTMENT OF LEADER AND DEPUTY LEADER

It was moved by Councillor M. Goulthorp, seconded by Councillor S. Cockburn-Price and -

RESOLVED

That Councillor N. Ahmed be appointed Leader of the Council for the Municipal Year 2022/23.

It was moved by Councillor N. Ahmed, seconded by Councillor S. Cockburn-Price and -

RESOLVED

That Councillor M. Goulthorp be appointed Deputy Leader of the Council for the Municipal Year 2022/23.

9. LOCAL GOVERNMENT AND HOUSING ACT 2989 POLITICAL BALANCE RULES

It was reported that, whenever the allocation of seats on Committees was reviewed, the Council was required to apply the statutory political balance rules. The rules applied to the Policy and Resources Committee, the Accounts and Audit Committee, Licensing Committee, Taxi Licensing Committee, Employment Appeals Committee and Standards Hearing Committee. They did not apply to the Area Committees.

It was moved by Councillor N. Ahmed and seconded by Councillor D. Cockburn-Price -

RESOLVED

That the report be noted.

10.

APPOINTMENT TO COMMITTEES

(a) Council considered the appointment of Members to Committees for the Municipal Year 2022/23.

MOTION

It was moved by Councillor N. Ahmed, seconded by Councillor M. Goulthorp and -

RESOLVED

That the following be agreed:

- (a) Policy and Resources Committee a politically balanced Committee of 9 Members
- (b) Accounts and Audit Committee a politically balanced Committee of 5 Members
- (c) Licensing Committee a politically balanced Committee of 9 Members
- (d) Taxi Licensing Committee a politically balanced Committee of 7 Members

- (e) Employment Appeals Committee a politically balanced Committee of 3 Members
- (f) Standards Hearing Committee a politically balanced Committee of 5 Members
- (g) Area Committees not politically balanced

(b) Planning Committee

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

That with effect from 1st September, 2022 Area Committees no longer be responsible for planning matters and that a Planning Committee be established to take on this function and that the Corporate Director be requested to report to the next meeting on this and consequential changes to the terms of reference and operations of Area Committees.

AMENDMENT

It was moved by Councillor D. Whipp and seconded by Councillor M. Iqbal -

- That Council welcomes the valuable contribution that local residents have in attending Area Committee meetings across Pendle and helping locally elected members make informed decisions on planning applications.
- Council notes that many decisions have been made since the introduction of Area Committees which have been upheld at Appeal by the Planning Inspectorate.
- Council notes that there will be a democratic deficit by removing planning responsibility from Area Committees to a central planning committee which will be a small group of councillors with no direct hands-on knowledge of different area of the Borough.

Council rejects any attempts to remove planning applications being determined by locally elected Area Committees and instructs officers to arrange training for any newly elected members on planning matters.

Council also encourages local residents to continue to play an effective role in lobbying local councillors on planning applications.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Upon being put to the vote the amendment was LOST.

Those Councillors voting in favour of the amendment were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Councillors voting against the amendment were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price,

M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

FURTHER AMENDMENT

It was moved by Councillor T. Whipp and seconded by Councillor D. Whipp -

That the central Planning Committee to be formed consist of at least one member from each of the wards in the Borough.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Upon being put to the vote the amendment was **LOST**.

Those Councillors voting in favour of the amendment were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Councillors voting against the amendment were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

FURTHER AMENDMENT

It was moved by Councillor D. Whipp and seconded by Councillor M. Iqbal -

That representatives from Town and Parish Council's be co-opted onto the central Planning Committee whenever a planning application from within their town or parish was being discussed.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Upon being put to the vote the amendment was LOST.

Those Councillors voting in favour of the amendment were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Councillors voting against the amendment were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

No further amendments were moved and the Mayor put forward the motion from the Conservative Group.

The Motion was CARRIED and it was -

RESOLVED

That with effect from 1st September Area Committees no longer be responsible for planning matters and that a Planning Committee be established to take on this function and that the Corporate Director be requested to report to the next meeting on this and consequential changes to the terms of reference and operations of Area Committees.

(c) Call In Procedure

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

That the Corporate Director be requested to submit a report to the next meeting on possible improvements to the call in procedure for decisions of the Policy and Resources Committee.

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

(d) Rules of Procedure

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

That the Corporate Director be requested to submit a report to the next meeting on the rules of procedure at Council and Committee meetings in relation to members speaking and points of order and personal explanation.

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

11. APPOINTMENT OF CHAIRMEN OF COMMITTEES

(a) To appoint Chairmen of Committees

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp that the Chairmen of the following Committees be agreed as:

- (a) Policy and Resources Committee Councillor N. Ahmed
- (b) Accounts and Audit Committee Councillor D. Cockburn-Price
- (c) Licensing Committee Councillor J. Purcell
- (d) Taxi Licensing Committee Councillor K. McGladdery
- (e) Employment Appeals Committee Councillor J. Purcell
- (f) Standards Hearing Committee Independent Person

Upon being put to the vote it was –

RESOLVED

Accordingly.

(b) Appointment of Chairmen of Area Committees

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

That Rule 5.2 of the Rules of Procedure at Committee Meetings be amended by the addition of the following:

"Where, for whatever reason an Area Committee is unable to appoint a Chairman the Council shall make the appointment."

AMENDMENT

It was moved by Councillor T. Whipp and seconded by Councillor D. Whipp -

That a public consultation be carried out on the proposed changes to Rule 5.2 of the Rules of Procedure at Committee Meetings.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Upon being put to the vote the amendment was LOST.

Those Councillors voting in favour of the amendment were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Councillors voting against the amendment were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

Upon being put the vote the motion was CARRIED and it was -

RESOLVED

That Rule 5.2 of the Rules of Procedure at Committee Meetings be amended by the addition of the following:

"Where, for whatever reason an Area Committee is unable to appoint a Chairman the Council shall make the appointment."

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Those Councillors voting in favour of the motion were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

Those Councillors voting against the motion were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

(c) Appointment of Chairman of the West Craven Committee

MOTION

It was moved by Councillor M. Goulthorp and seconded by Councillor J. Purcell –

That Councillor R. Carroll be appointed Chairman of the West Craven Committee for the Municipal Year 2022/2023.

AMENDMENT

It was moved by Councillor T. Whipp and seconded by Councillor M. Iqbal -

That Councillor D. Whipp be appointed Chairman of the West Craven Committee for the Municipal year 2022/2023.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Upon being put to the vote the amendment was LOST.

Those Councillors voting in favour of the amendment were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Councillors voting against the amendment were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

No further amendments were moved and the Mayor put forward the motion from the Conservative Group.

Upon being put the vote the motion was CARRIED and it was -

RESOLVED

That Councillor R. Carroll be appointed Chairman of the West Craven Committee for the Municipal Year 2022/2023.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Those Councillors voting in favour of the motion were:-

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Kaleem, C. Lionti, K. McGladdery, P. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

Those Councillors voting against the motion were:-

M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, A. Mahmood and B. Newman.

The following Councillors abstained from voting on the motion:-

D. Lord, D. Whipp and T. Whipp.

12. APPOINTMENT OF WORKING GROUPS

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp that -

The following Working Groups be appointed for the Municipal Year 2022/23:

- (a) Climate Emergency Working Group 7 Members (4:2:1)
- (b) Governance Working Group 5 Members (3:1:1)

Upon being put to the vote it was -

RESOLVED

Accordingly.

13. DATES AND TIMES OF COUNCIL MEETINGS FOR 2022/23

MOTION

It was moved by Councillor Y Iqbal, seconded by Councillor B. Newman -

(1) That meetings of the Full Council be held on the following dates:

28th July, 2022 29th September, 2022 8th December, 2022 23rd February, 2023 (Special Budget) 23rd March, 2023 18th May, 2023 (Annual Council)

(2) That the dates of other meetings set out on the attached schedule be approved.

Upon being put to the vote it was -

RESOLVED

Accordingly.

14. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

(a) Appointment to Organisations and Associations

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

Council (19/05/2022)

That the following amendment to the schedule be agreed:

Organisation

Airedale General Hospital Foundation Trust Burnley and District Society for the Blind Burnley and Pendle Citizens Advice Bureau

Burnley, Pendle and Rossendale CVS Board Colne Business Improvement District District Councils Network District Early Years Development and Childcare Forum Forest of Bowland AONB Growth Lancashire Ltd. Joint Venture Brookhouse Group

Joint Venture Company (PEARL Board 1, PEARL Board 2, PEARL Brierfield Mill and PEARL Together)

LCC Health Scrutiny Committee Lancashire Leaders Lancashire Police and Crime Panel

LCC Lancashire Waste Partnership Local Government Association (a) General Assembly (b) Voting re: Lancashire Leaders Group Nelson Town Deal Board

North Western Local Authorities Employers Organisations Pendle Community Safety Partnership Steering Group

Pendle Countryside Access Forum

Pendle Hill Landscape Partnership Board Pendle Public/Private Partnership (with Liberata)

Representative

Councillor J. Purcell Councillor C. Lionti Councillor M. Aslam

Councillor M. Aslam Councillor S. Cockburn-Price Councillor N. Ahmed Councillor P. McGladdery Councillor R. Carroll Councillor N. Ahmed Councillor N. Ahmed Councillor M. Igbal Councillor D. Whipp Councillor N. Ahmed Councillor S. Cockburn-Price Councillor A. Mahmood Councillor D. Whipp Councillor R. Carroll Councillor N. Ahmed Councillor A. Sutcliffe (Councillor D. Whipp - to be considered subject to application County wide of political balance rules) Councillor P. McGladdery Councillor N. Ahmed

Councillor N. Ahmed Councillor M. Aslam Councillor M. Iqbal Councillor D. Whipp Councillor N. Ahmed Councillor M. Aslam Councillor M. Hanif Councillor A. Sutcliffe Councillor D. Whipp Councillor S. Cockburn-Price Councillor Y. Iqbal Councillor T. Whipp Councillor S. Cockburn-Price Councillor N. Ahmed Councillor N. Ahmed Pendle Vision Board

Councillor D. Cockburn-Price Councillor M. Goulthorp Councillor D. Whipp Councillor N. Ahmed Councillor D. Cockburn-Price Councillor Z. Ali Councillor B. Newman

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

(b) Member Champions

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp and -

RESOLVED

That the following Councillors be appointed as Member Champions for the Municipal Year 2022/23:

Armed Forces	Councillor N. Butterworth and Councillor K. Salter
Dementia, Disability and Mental Health	Councillor R. Carroll
Health and Wellbeing	Councillor J. Purcell
Older People	Councillor N. Butterworth and Councillor C. Lionti
Young People including Evert Child Matters	Councillor P. McGladdery

15. COUNCIL GOVERNANCE ARRANGEMENTS

The Corporate Director submitted a report for consideration of a change in the Council's system of governance from a Committee System to a Leader/Cabinet form of Executive.

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

- (1) That, pursuant to Sections 9K, 9KC and 9L of the Local Government Act 2000, as inserted by the Localism Act 2011, the Council hereby resolves to change its governance arrangements to a Leader/Cabinet form of Executive with effect from the 2023 Annual Council meeting.
- (2) That the Corporate Director submit a further report on the detailed implementation of the new governance arrangements to a future Full Council meeting.

AMENDMENT

It was moved by Councillor D. Whipp and seconded by Councillor T. Whipp -

That any changes to the governance arrangements of the Council be the subject of a public consultation with local residents.

Upon being put to the vote the amendment was LOST and it was -

RESOLVED

- (1) That, pursuant to Sections 9K, 9KC and 9L of the Local Government Act 2000, as inserted by the Localism Act 2011, the Council hereby resolves to change its governance arrangements to a Leader/Cabinet form of Executive with effect from the 2023 Annual Council meeting.
- (2) That the Corporate Director submit a further report on the detailed implementation of the new governance arrangements to a future Full Council meeting.

16. CONTAMINATED LAND STRATEGY 2022/2027

At a meeting of the Policy and Resources Committee on 17th March, 2022 it was resolved:

"That Council be recommended to approve and adopt the Contaminated Land Strategy 2022-2027 as set out in the appendix attached to the report."

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor M. Goulthorp -

That the Contaminated Land Strategy 2-022-2027 be approved and adopted, as set out in the appendix attached to the report.

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

17.

LOCAL GOVERNMENT ACT 1972

In accordance with the provisions of Section 100(B)(4) of the Local Government Act 1972, as amended, His Worship the Mayor agreed that the following item should be considered as a matter of urgency, the ground being the ??.

18.

PALESTINE

MOTION

It was moved by Councillor M. Iqbal and seconded by Councillor Z. Ali –

- Council believes in the freedom and protection of media reporting across Pendle and the world.
- Council believes that any human deserves a respectful funeral and burial free from attack.
- Council condemns the assassination by Israeli government forces of a prominent journalist in Palestine and the unprovoked attack on the funeral procession by Israeli government forces.
- (1) Council calls upon HM Government to publicly raise the above matters with the Israeli government and call for an independent urgent investigation into the assassination with criminal charges brought against those involved.
- (2) Council agrees to fly the flag of Palestine alongside the Ukrainian flag from council buildings to show solidarity with all those innocent victims of these conflicts.

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

Those Councillors voting in favour of the motion were:-

M. Adnan, F. Ahmad, N. Ahmed, S. Ahmed, D. Albin, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, M. Hanif, M. Iqbal, Y. Iqbal, M. Kaleem, C. Lionti, D. Lord, K. McGladdery, P. McGladdery, N. McGowan, A. Mahmood, B. Newman, J. Purcell, K. Salter, M. Stone, A. Sutcliffe, D. Whipp and T. Whipp

18. NOTICES OF MOTION

(a) VAT Reduction and Windfall Tax

It was moved by Councillor D. Whipp and seconded by Councillor T. Whipp -

Council notes the drastic impact of the cost-of-living crisis on Pendle residents and resolves to request the Chancellor of the Exchequer to reduce VAT to 17.5% as an emergency measure and to introduce a windfall tax on the profits of energy companies.

Upon being put to the vote the motion was **LOST**.

(b) Local A&E and Ambulance Response Times

It was moved by Councillor D. Lord and seconded by Councillor D. Whipp -

Council notes the huge pressure on hospital Accident and Emergency departments and the knockon effect on ambulance services and their response times.

Council resolves that the Chief Executive writes to the Secretary of State for Health and Social Care to request urgent action to address waiting times at local A&E's together with ambulance response times.

Upon being put to the vote the motion was CARRIED and it was -

RESOLVED

Accordingly.

(c) Local Elections

It was moved by Councillor T. Whipp and seconded by Councillor D. Whipp -

Council notes the dismal turn-out at the recent local elections in many wards, as well as the many seats that were filled with less than 50% of the vote going to the winning candidate.

Council therefore resolves:

- (1) To write to HM Government and the MP for Pendle, expressing this Council's concern for voter apathy and disenfranchisement and the effects this has on local and national democracy.
- (2) To ask HM Government to introduce measures to increase voter turnout, such as a national holiday on polling day, or a small council tax rebate for each member of a household going to the polls.
- (3) To demand that HM Government end First Past the Post voting in England and hold a referendum on which type of voting system should be implemented instead.
- (4) To announce support for the Make Votes Matter campaign.
- (5) To express dismay at the Government's Act implementing voter suppression through use of photo ID for voting.

Upon being put to the vote the motion was LOST.

His Worship the Mayor _____